

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CRICKET GROUP, LIMITED,)	
)	
Plaintiff,)	Civil Action No. 16-1141
)	
v.)	Judge Cathy Bissoon
HIGHMARK INC.,)	Magistrate Judge Robert C. Mitchell
)	
Defendant.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Robert C. Mitchell for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On March 31, 2017, the Magistrate Judge issued a Report (Doc. 58) recommending that Defendant's Partial Motion to Dismiss (Doc. 53) be granted in part and denied in part. Service of the Report and Recommendation was made, and Defendant has filed Objections. *See* Doc. 59.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

Defendant's Partial Motion to Dismiss (**Doc. 53**) is **GRANTED** regarding Count IV of the Second Amended Complaint, and otherwise **DENIED**. The Report and Recommendation hereby is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

May 31, 2017

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All counsel of record